

known as yellow fleshed Finnish potatoes may handle up to 200 hundred-weight of such potatoes any day without regard to the inspection and assessment requirements of this part.

(h) *Definitions.* The terms *U.S. Extra No. 1*, *U.S. No. 1*, *U.S. No. 2*, *Size B*, *fairly clean*, *moderately skinned*, and *slightly skinned* shall have the same meaning as when used in the United States Standards for Potatoes (7 CFR 51.1540-51.1566), including the tolerances set forth therein. The term *prepeeling* means the commercial preparation in a prepeeling plant of clean, sound, fresh potatoes by washing, peeling, or otherwise removing the outer skin, trimming, sorting, and properly treating to prevent discoloration preparatory to sale in one or more of the styles of peeled potatoes described in §52.2422 of the United States Standards for Peeled Potatoes (7 CFR 52.2421-52.2433). The term *other processing* has the same meaning as the term appearing in the act and includes, but is not restricted to, potatoes for dehydration, chips, shoestrings, starch, and flour. It includes only that preparation of potatoes for market which involves the application of heat or cold to such an extent that the natural form or stability of the commodity undergoes a substantial change. The act of peeling, cooling, slicing, dicing, or applying material to prevent oxidation does not constitute "other processing." The terms *Idaho Utility grade* and *Oregon Utility grade* shall have the same meaning as when used in the standards for potatoes for the respective State. Other terms used in this section shall have the same meaning as when used in Marketing Agreement No. 98 and Order No. 945, both as amended.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

[47 FR 34355, Aug. 9, 1982, as amended at 52 FR 5530, Feb. 25, 1987; 52 FR 41695, Oct. 30, 1987; 53 FR 48634, Dec. 2, 1988; 57 FR 62167, Dec. 30, 1992; 59 FR 46723, Sept. 12, 1994; 60 FR 57905, Nov. 24, 1995; 65 FR 25627, May 3, 2000; 65 FR 48144, Aug. 7, 2000; 67 FR 66531, Nov. 1, 2002]

EDITORIAL NOTE: After January 1, 1979, "Budget of Expenses and Rate of Assessment" regulations (e.g. sections .200 through .299) and "Handling" regulations (e.g. sections .300 through .399) which are in effect for

a year or less, will not be carried in the Code of Federal Regulations. For FEDERAL REGISTER citations affecting these regulations, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and on GPO Access.

## PART 946—IRISH POTATOES GROWN IN WASHINGTON

### Subpart—Order Regulating Handling

#### DEFINITIONS

Sec.	
946.1	Secretary.
946.2	Act.
946.3	Person.
946.4	Production area.
946.5	Potatoes.
946.6	Handler.
946.7	Handle.
946.8	Producer.
946.9	Fiscal period.
946.10	Committee.
946.11	Varieties.
946.12	Seed potatoes.
946.13	Grade and size.
946.14	Grading.
946.15	Export.
946.16	District.

#### ADMINISTRATIVE COMMITTEE

946.22	Establishment and membership.
946.23	Alternate members.
946.24	Procedure.
946.25	Selection.
946.26	Acceptance.
946.27	Term of office.
946.28	Powers.
946.29	Duties.
946.30	Expenses and compensation.
946.31	Districts.
946.32	Nomination.
946.33	Vacancies.

#### EXPENSES AND ASSESSMENTS

946.40	Expenses.
946.41	Assessments.
946.42	Accounting.
946.43	Funds.

#### REGULATION

946.50	Marketing policy.
946.51	Recommendation for regulations.
946.52	Issuance of regulations.
946.53	Minimum quantities.
946.54	Shipments for specified purposes.
946.55	Safeguards.

#### INSPECTION AND CERTIFICATION

946.60	Inspection and certification.
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#### EFFECTIVE TIME AND TERMINATION

946.62	Effective time.
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## Agricultural Marketing Service, USDA

## § 946.7

- 946.63 Termination.
- 946.64 Proceedings after termination.
- 946.65 Effect of termination or amendment.

### MISCELLANEOUS PROVISIONS

- 946.70 Reports and records.
- 946.71 Compliance.
- 946.72 Right of the Secretary.
- 946.73 Duration of immunities.
- 946.74 Agents.
- 946.75 Derogation.
- 946.76 Personal liability.
- 946.77 Separability.
- 946.78 Amendments.

### Subpart—Rules and Regulations

#### DEFINITIONS

- 946.100 Order.
- 946.101 Marketing agreement.
- 946.102 Terms.
- 946.103 Reestablishment of districts.
- 946.104 Reapportionment of committee membership.

#### SPECIAL PURPOSE CERTIFICATES

- 946.120 Application.
- 946.121 Issuance.
- 946.122 Reports.
- 946.123 Denial and appeals.

#### MODIFICATION OF INSPECTION REQUIREMENTS

- 946.130 Application.
- 946.131 Issuance.
- 946.132 Reports.
- 946.133 Cancellation.
- 946.140 Handling potatoes for commercial processing into products.
- 946.141 Late payment and interest charge.
- 946.142 Operating reserve.
- 946.248 Assessment rate.

### Subpart—Handling Regulations

- 946.336 Handling regulation.

AUTHORITY: 7 U.S.C. 601-674.

### Subpart—Order Regulating Handling

SOURCE: 17 FR 2912, Apr. 4, 1952, unless otherwise noted. Redesignated at 26 FR 12751, Dec. 30, 1961.

#### DEFINITIONS

#### § 946.1 Secretary.

*Secretary* means the Secretary of Agriculture of the United States, or any other officer, or member of the United States Department of Agriculture, who is, or may hereafter be authorized to

exercise the powers and to perform the duties of the Secretary of Agriculture.

#### § 946.2 Act.

*Act* means Public Act No. 10, 73d Congress, as amended and reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U.S.C. 601 *et seq.*).

#### § 946.3 Person.

*Person* means an individual, partnership, corporation, association, legal representative, or any organized group or business unit.

#### § 946.4 Production area.

*Production area* means all territory included within the boundaries of the State of Washington.

#### § 946.5 Potatoes.

*Potatoes* means all varieties of Irish potatoes grown within the State of Washington.

#### § 946.6 Handler.

*Handler* is synonymous with *shipper* and means any person (except a common or contract carrier of potatoes owned by another person) who handles potatoes or causes potatoes to be handled.

[37 FR 10916, June 1, 1972]

#### § 946.7 Handle.

*Handle* is synonymous with *ship* and means to transport, sell, or in any other way to place potatoes grown in the State of Washington, or cause such potatoes to be placed, in the current of commerce within the production area or between the production area and any point outside thereof, or from any point in the adjoining States of Oregon and Idaho to any other point: *Provided*, That, the definition of "handle" shall not include the transportation of ungraded potatoes within the production area for the purpose of having such potatoes prepared for market, or stored, except that the committee may impose safeguards pursuant to § 946.55 with respect to such potatoes.

[37 FR 10916, June 1, 1972]